

Motor Vehicle and Mobile Equipment

National Emission Standards for Hazardous Air Pollutants (NESHAP)

40 CFR 63 Subpart HHHHHH

Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

Sample Tennessee Opt Out Petition

Motor vehicle and mobile equipment surface coating facilities that do not use coatings containing target hazardous air pollutants (HAPs) may petition the Administrator/delegated authority for exemption from 40 CFR 63 Subpart HHHHHH. A target HAP is defined in Section 63.11180 of the rule. Please note, if **any** coating contains a target HAP, the facility is subject to the rule.

Facility Name: _____

Facility Physical Location /: _____
(Address where records kept)

Facility Mailing Address: _____

Check all that apply:

- ☐ No spray applied coating contains 1.0 percent by mass of chromium (Cr), Lead (Pb), manganese (Mn), Nickel (Ni), or Cadmium (Cd).
- ☐ No spray applied coating contains 0.1 percent by mass of an OSHA defined carcinogen.

OSHA defined carcinogens are addressed in 29 CFR 1910.1200(d) (4) which lists the following sources as establishing that a chemical is a carcinogen or potential carcinogen:

- National Toxicology Program (NTP) at: <http://ntp.niehs.nih.gov/>
Click on "Annual Report on Carcinogens" in the Public Health Section
 - International Agency for Research on Cancer (IARC) "Monographs" at: <http://monographs.iarc.fr/> . Click on List of Classifications.
 - 29 CFR 1910.1200(d) (4)(iii) 29 CFR part 1910, subpart Z, Toxic and Hazardous Substances, http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9992
- ☐ Attached is a written description of the coatings that are spray applied at the facility, including the specific percentage of each chemical contained in the coating.
 - ☐ Attached is additional information, i.e. MSDS, to demonstrate/support documentation of coating composition.

I certify that the listed facility does not spray apply a coating that is subject to 40 CFR 63 Subpart HHHHHH. I petition for an exemption from this subpart. In the event the facility begins use of a rule target HAP, an Initial Notice will be submitted to the delegated authority.

Signature Owner/Responsible Official

Date

Phone Number

E-mail Address

Keep a copy of the petition for your records and send a copy to the **two** addresses below:

Tennessee Department of Environment and Conservation
Division of Air Pollution Control
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 15th Floor
Nashville, Tennessee 37243
ATTN: Surface Coating Contact

EPA Region IV
Air and Radiation Division
61 Forsyth St, SW
Atlanta, Georgia 30303-8960